

Minutes of Special and Regular Meeting of October 12, 2010 7:30 P.M.

SPECIAL MEETING

CLOSED SESSION - 6:45 P.M.

- A. Conference with Legal Counsel pursuant to Government Code Section 54956.9(a), Existing Litigation, Folks v. City of Belmont
- B. Conference Pursuant to Government Code Section 54957 Regarding Public Employee Performance Evaluation: City Attorney

Attended by: Councilmembers Feierbach, Wozniak, Warden (arr 7:05), Braunstein, City Manager Scoles, City Attorney Zafferano, Fire Chief Fry, Finance Director Fil, Special Counsel Howard. Councilmember Lieberman was absent, and Deputy City Clerk Plut was excused from attending.

ADJOURNMENT at this time being 7:35 P.M.

Jozi Plut
Deputy City Clerk

This meeting was not tape recorded or videotaped

REGULAR MEETING

CALL TO ORDER 7:40 P.M.

ROLL CALL

COUNCILMEMBERS PRESENT: Feierbach, Warden, Wozniak, Braunstein

COUNCILMEMBERS ABSENT: Lieberman

Staff Present: City Manager Scoles, City Attorney Zafferano, Finance Director Fil, Police Chief Mattei, Fire Chief Fry, Parks and Recreation Director Gervais, Community Development Director de Melo, Building Official Nolfi, City Treasurer Violet, and Deputy City Clerk Plut.

PLEDGE OF ALLEGIANCE

Led by Mayor Christine Wozniak.

REPORT FROM CLOSED SESSION

City Attorney Zafferano stated there were no reportable actions from the Closed Session held earlier.

SPECIAL PRESENTATIONS

Proclamation Declaring Breast Cancer Awareness Month

Mayor Wozniak discussed a Proclamation which will be presented at the next Council Meeting organization declaring October as Breast Cancer Awareness Month.

PUBLIC COMMENTS AND ANNOUNCEMENTS

Kathleen Beasley, Belmont Library Branch Manager, distributed copies of the October calendar of events at the library and outlined the teen programs and activities available at the Library this Fall.

Brian Randall, San Carlos resident, expressed his regret of the dissolution of the Belmont-San Carlos Fire Department. He presented a token of appreciation to John Violet and Thomas Fil for their work with the Fire Department.

AGENDA AMENDMENTS

Councilmember Braunstein stated he would remove Consent Item 4-D (Resolution Authorizing the City Manager to Execute an Agreement with the Association of Bay Area Governments for the Bay Area Wide Trash Capture Demonstration Project) for separate consideration and that he will abstain from voting on Item 4-A (Minutes of Special and Regular Meeting of September 14, 2010) due to the fact that he was absent the day of that meeting.

ITEMS APPROVED ON CONSENT CALENDAR

Approval of Minutes of Special and Regular Meeting of September 14, 2010

Acceptance of Informational Report Regarding City's Liability Self-Insured Retention Risk

Motion to Accept Monthly Financial Reports

Approval of Resolution 10288 Extending Interim Purchasing Threshold Through FY 2011

Approval of Resolution 10289 Authorizing the City Manager to Execute a Contract with NV Heathron Company for an Amount Not to Exceed \$180,000 and a Construction Contingency of \$18,000 for the Twin Pines Senior and Community Center HVAC System Replacement Project, City Contract Number 505

Approval of Resolution 10290 Authorizing Payment to the City of San Mateo for Emergency Call-Out Service for the Traffic Signal Replacement at Hallmark Drive and Ralston Avenue in an Amount not to Exceed \$20,000

ACTION: On a motion by Councilmember Warden, seconded by Councilmember Feierbach, the Consent agenda was unanimously approved, as amended, by a show of hands (4-0 Lieberman absent). For the record Councilmember Braunstein abstained from voting on Item 4-A (Approval of Minutes of Special and Regular Meeting of September 14, 2010).

ITEMS REMOVED FROM CONSENT CALENDAR FOR SEPARATE CONSIDERATION

Resolution Authorizing the City Manager to Execute an Agreement with the Association of Bay Area Governments for the Bay Area Wide Trash Capture Demonstration Project

Councilmember Braunstein stated that he is in support of the resolution but had questions that he did not expect to have answers to that evening. He asked that staff use the appropriate format to answer the questions that would inform the Council and the public.

In response to Councilmember Braunstein's question Co-Acting Public Works Director de Melo stated the questions would be forwarded to Council and City Manager Scoles in an upcoming Council update.

ACTION: On a Motion by Councilmember Braunstein, seconded by Councilmember Warden Resolution 10291 Authorizing the City Manager to Execute an Agreement with the Association of Bay Area Governments for the Bay Area Wide Trash Capture Demonstration Project was unanimously approved by a show of hands (4-0 Lieberman absent).

NEW BUSINESS

Discussion and Direction Regarding the 2010 Edition of the California Building Code

Building Official Nolfi described the State Building Codes which Cities and Counties are required to enforce. The codes are amended by various State agencies. The State adopts the amendments and publishes the codes and makes them enforceable after 180 days. He stated that within 180 days the cities and counties may amend the State Codes. He stated that City of Belmont will have two exceptions this year offered by the Belmont San Carlos Fire Department and as a result of the adoption of the Green Building Requirements. He stated that it is recommended that the Council set a Public Hearing date of November 9, 2010 for the introduction of an ordinance to amend Chapter 7 of the Municipal Code.

ACTION: On a Motion by Councilmember Warden, seconded Councilmember Braunstein a Public Hearing regarding the 2010 Edition of the California Building Code was set for November 9, 2010 by a show of hands (4-0 Lieberman absent).

COMMISSION, COMMITTEE, AND COUNCIL INTERGOVERNMENTAL ASSIGNMENT UPDATES, AND STAFF ITEMS

Verbal report from Councilmembers on Intergovernmental (IGR) and Subcommittee Assignments

Councilmember Braunstein reported that he attended the NDNU Advisory Board meeting which focused on ways to collaborate and build the relationship between the City and the University.

Mayor Wozniak reported that she attended the Peninsula Cities Consortium in Palo Alto. She also attended a meeting with City Manager Scoles and Community Development Director de Melo with the City of San Mateo on High Speed Rail.

Report from Councilmember Warden on visit to Belmont, Massachusetts

Councilmember Warden presented a picture slideshow of Belmont, Massachusetts and described the similarities of its terrain and ambiance as it compares to the City of Belmont, California. He also described how the Town is governed.

Update on High Speed Rail

Community Development Director de Melo updated the Council on the status of the High Speed Rail AdHoc Committee. He stated that although some additional outreach efforts are being conducted, a core group of twelve candidates will be presented for Council's acceptance at a near

future meeting. He announced that Jerry Hill will be holding his State of the State Address at the Belmont Senior Center at which time he will be addressing the High Speed Rail.

Verbal Report from City Manager

City Manager Greg Scoles reported that Chief of Police Mattei organized a successful lunch with the local school principals. He expanded on Councilmember Braunstein's report on the Advisory Board Meeting with NDNU. He stated it was a useful event that should be held more often to discuss issues of mutual interest and collaboration. He stated that a Neighborhood Associated Meeting was held at City Hall with a presentation from Recology. The City's Paper Trails were also discussed, with the possibility of improving or developing the trails over time. He stated that the Homeview Homeowners Association held a meeting and heard a presentation from Caltrain. He explained that there have been meetings with Caltrans regarding the signal light synchronization at the intersections of Ralston and El Camino Real and Old County Road. He stated that there are many issues that need to be addressed and Caltrain indicated that they will send a report to the City.

Mayor Wozniak stated that an acknowledgment of receipt of the Mayor's letter was received from Joseph C. Szabo, Administrator, Federal Railroad Administration regarding the High Speed Rail. She also stated that the City will be receiving information on whether the rail section on the Peninsula will be funded by grant money and ARRA funds.

RECESS: at this time, being 8:25 P.M., to Continued Closed Session to Consider (**Note:** Belmont Fire Protection District Closed Session was held concurrently.)

- B. Conference with Legal Counsel pursuant to Government Code Section 54956.9(a), Existing Litigation, Folks v. City of Belmont

Attended by: Councilmembers Feierbach, Wozniak, Warden, Braunstein, City Manager Scoles, City Attorney Zafferano, Councilmember Lieberman was absent, and Deputy City Clerk Plut was excused from attending.

ADJOURNMENT at this time being 10:30 P.M.

Jozi Plut
Deputy City Clerk

Meeting Tape Recorded and Videotaped
Audio Recording 770